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DECISION



Kelman
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**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-187528

DATE: November 17, 1976

MATTER OF: Huck Manufacturing Company

DIGEST:

Protest against terms and conditions
of IFB filed after bid opening is
untimely under GAO Bid Protest
Procedures.

Huck Manufacturing Company has protested any award to Boston
Pneumatics Inc. for blind pneumatic riveters in invitation for bids
(IFB) FTAP-B6-60159A.

Specifically, Huck protested the IFB purchase description which
states: "The riveter shall be Huck Mfg., Co. Model 350, Boston
Pneumatics, Inc. Model BP 350, or equal." Huck also protested the
omission from the IFB of a bid sample requirement.

Section 20.2(b)(1) of this Office's Bid Protest Procedures, 4 C.F.R.
§ 20.2(b)(1) (1976), provides that "Protests based on alleged
improprieties in any type of solicitation which are apparent prior to
bid opening * * * shall be filed (received at GAO) prior to bid opening* * *."

Inasmuch as the bids were opened on July 17, 1976, and the protest
was not received until September 28, 1976, the protest is untimely.

Therefore, the protest will not be considered on the merits.

for Victor Borstein
Paul G. Dembling
General Counsel